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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In re

MARK A. CARBALLO AND
CARMEN REBECCA CARBALLO,

Debtor(s).

Case No. 10-62743-B-13

Chapter 13

D. C. No. HDN-5

Date: March 24, 2011

Time: 1:30 p.m.

Place: United States Bankruptcy Court
2500 Tulare Street, Fifth Floor
Courtroom 12; Dept. B
Fresno, California 93721

MOTION FOR CONFIRMATION OF CHAPTER 13 PLAN

TO: THE HONORABLE UNITED STATES BANKRUPTCY JUDGE, W.
RICHARD LEE:

The debtor hereby respectfully moves for entry of an order confirming their Chapter 13 Plan which is filed concurrently with this motion. In support of this motion, debtor alleges the following:

1. This Case commenced on November 1, 2010 by the filing of a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code.

1 + 2. The debtor has proposed a Chapter 13 Plan, which was filed on November 1,
2 2010.

3 3. The debtor respectfully represents that their Chapter 13 Plan should be confirmed
4 because:

5 a. The first amended plan complies with the applicable provisions of Chapter 13
6 within the meaning of 11 U.S.C. § 1325(a)(1);

7 b. There are no fees, charges, or amounts required under Chapter 13 of Title 28
8 to be paid;

9 c. The debtor has proposed the first amended plan in good faith and not by any
10 means forbidden by law within the meaning of 11 U.S.C. §1325 (a)(3);

11 d. The value that will be distributed to creditors under the first amended plan
12 equals or exceeds what they would receive in a Chapter 7 proceeding; and

13 e. Each holder of an allowed secured claim will retain its lien under the Chapter
14 13 Plan and the plan proposes to pay each such holder value, as of the effective date of
15 the plan, equal to the value of the creditor's collateral.

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17 WHEREFORE debtor prays this Court grant debtors' Motion to file her Chapter 13 Plan
18 pursuant to the foregoing and for such other and further relief this Court deems proper and just.

19 Date: January 31, 2011

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22 /s/-Henry D. Nuñez

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